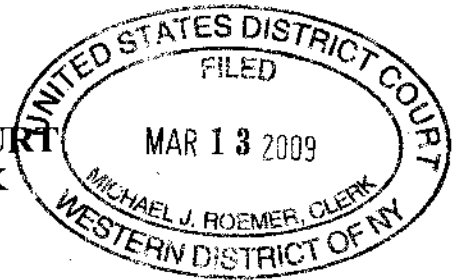


UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK



Mr. Junior M. Ricketts,

vs.

Charles Mule; et al,

CLERK'S CERTIFICATION

Civil/Criminal No: 07-CV-138
USCA No: 09-0339

I, RODNEY C. EARLY, CLERK of the District Court of the UNITED STATES for the Western District of New York, DO, HEREBY CERTIFY that the foregoing docket entries, with the exception of the documents listed below are maintained electronically on the court's CM/ECF system and constitute the Record on Appeal in the above-entitled action.

The following documents are not available electronically and are currently maintained in traditional fashion in the city of Buffalo Clerk's Office.

Docket # All Documents Electronically Filed.
Docket #
Docket #

Any additional records which are not currently available electronically, please feel free to contact us and we will arrange for the document(s) to be made available to you.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of said Court to be hereto affixed at the City of Buffalo, New York, this 13th day of March, 2009.

Michael J. Roemer, Clerk
U.S. District Court







/s/ Diane Radloff
By: Diane Radloff
 Deputy Clerk















APPEAL, CLOSED_2009, CONSENT, HABEAS







U.S. DISTRICT COURT
U.S. District Court, Western District of New York (Buffalo)
CIVIL DOCKET FOR CASE #: 1:07-cv-00138-HKS

Ricketts v. Mule et al
Assigned to: Hon. H. Kenneth Schroeder, Jr
Cause: 28:2241 Petition for Writ of Habeas Corpus (federa

Date Filed: 03/07/2007
Date Terminated: 01/14/2009
Jury Demand: None
Nature of Suit: 530 Habeas Corpus
(General)
Jurisdiction: U.S. Government
Defendant

Date Filed	#	Docket Text
03/07/2007	 <u>1</u>	PETITION for Writ of Habeas Corpus , filed by Junior M. Ricketts.(SG) (Entered: 03/08/2007)
03/07/2007	 <u>2</u>	MOTION for Leave to Proceed in forma pauperis by Junior M. Ricketts.(SG) (Entered: 03/08/2007)
03/19/2007	 <u>3</u>	ORDER granting <u>2</u> Motion for Leave to Proceed in forma pauperis; within 45 days of the service of this order, Respondent shall file an answer and memorandum; Petitioner shall have 25 days upon receipt of the answer to file a written response; the Clerk of Court shall serve a copy of the application and this order, by certified mail, upon the Superintendent of the Buffalo Federal Detention Center; Buffalo Field Office Director; Secretary U.S. Dept. of Homeland Security; Acting Director Bureau of Immigration and Customs Enforcement; Attorney General of the U.S.; U.S. Attorney for the Western District of New York and James W. Grable. Signed by Judge Michael A. Telesca on 3/16/07. (SG,) (Entered: 03/22/2007)
05/08/2007	 <u>4</u>	NOTICE of Appearance by Mary Pat Fleming on behalf of Charles Mule, David Venturella, Peter J. Smith, Alberto Gonzales (Fleming, Mary) (Entered: 05/08/2007)
05/08/2007	 <u>5</u>	ANSWER and RETURN RESPONSE to Petition for Writ of Habeas Corpus by Charles Mule, David Venturella, Peter J. Smith, Alberto Gonzales.(Fleming, Mary) (Entered: 05/08/2007)
05/08/2007	 <u>6</u>	MEMORANDUM IN SUPPORT re <u>5</u> Response to Habeas Petition (Memorandum of Law) by Charles Mule, David Venturella, Peter J. Smith, Alberto Gonzales. (Fleming, Mary) (Entered: 05/08/2007)

05/17/2007	 <u>7</u>	RESPONSE to re <u>5</u> Response to Habeas Petition, <u>6</u> Memorandum in Support filed by Junior M. Ricketts. (SG) (Entered: 05/18/2007)
05/30/2007	 <u>8</u>	CONSENT to Jurisdiction by US Magistrate Judge by Junior M. Ricketts, Charles Mule, David Venturella, Peter J. Smith, Alberto Gonzales. . Signed by Hon. Richard J. Arcara on 5/25/07. (SG) (Entered: 06/01/2007)
12/21/2007	 <u>9</u>	MOTION for Summary Judgment by Junior M. Ricketts.(JDK) (Entered: 12/21/2007)
12/21/2007	 <u>10</u>	AFFIDAVIT in Support re <u>9</u> MOTION for Summary Judgment filed by Junior M. Ricketts. (JDK) (Entered: 12/21/2007)
12/21/2007	 <u>11</u>	MEMORANDUM in Support re <u>9</u> MOTION for Summary Judgment filed by Junior M. Ricketts. (JDK) (Entered: 12/21/2007)
12/27/2007	 <u>12</u>	TEXT ORDER: Papers in response to plaintiff's <u>9</u> MOTION for Summary Judgment shall be filed and served no later than 1/25/2008. Reply papers, if any, shall be filed and served no later than 2/15/2008, after which time the motion will be taken under advisement without oral argument. Issued by Hon. H. Kenneth Schroeder Jr. on 12/27/2007. (KER) (Entered: 12/27/2007)
12/28/2007		Set Deadlines/Hearings: re <u>9</u> Motion for Summary Judgment Replies due by 2/15/2008.,Responses due by 1/25/2008 (SG) (Entered: 12/28/2007)
01/25/2008	 <u>13</u>	MEMORANDUM IN OPPOSITION re <u>9</u> MOTION for Summary Judgment by Charles Mule, David Venturella, Peter J. Smith, Alberto Gonzales. (Attachments: # <u>1</u> Affidavit (Donald J. Vaccaro, Jr.)# <u>2</u> Exhibit A)(Mitchell, Gail) (Entered: 01/25/2008)
01/25/2008	 <u>14</u>	STATEMENT OF FACTS (<i>Undisputed</i>) by Charles Mule, David Venturella, Peter J. Smith, Alberto Gonzales Related document: <u>13</u> Memorandum in Opposition. (Mitchell, Gail) (Entered: 01/25/2008)
01/28/2008	 <u>15</u>	NOTICE of Appearance by Gail Y. Mitchell on behalf of Charles Mule, David Venturella, Peter J. Smith, Alberto Gonzales (Mitchell, Gail) (Entered: 01/28/2008)
02/06/2008	 <u>16</u>	MEMORANDUM in Response to <u>13</u> Memorandum in Opposition by Junior M. Ricketts. (SG) (Entered: 02/11/2008)
02/06/2008	 <u>17</u>	MOTION to Expedite/Accelerate Hearing on Motion for Summary Judgment by Junior M. Ricketts.(SG) (Entered: 02/11/2008)
06/09/2008	 <u>18</u>	MOTION to Expedite Decision in Habeas Corpus, MOTION for Summary Judgment by Junior M. Ricketts.(SG) (Entered: 06/11/2008)
09/30/2008	 <u>19</u>	TEXT ORDER granting <u>17</u> Motion to Expedite; granting <u>18</u> Motion to Expedite and directing defendants to supplement their response to plaintiff's motion for summary judgment within ten days of the entry of this Order. So ORDERED. Issued by Hon. H. Kenneth Schroeder, Jr on 9/30/2008. (KER) (Entered: 09/30/2008)

10/10/2008	 <u>20</u>	AFFIDAVIT re <u>13</u> Memorandum in Opposition, 19 Order on Motion to Expedite,,, (<i>Supplemental Affidavit of George F. Scott dated October 10, 2008</i>) by Charles Mule, David Venturella, Peter J. Smith, Alberto Gonzales. (Attachments: # <u>1</u> Exhibit B: ICE Documents)(Mitchell, Gail) (Entered: 10/10/2008)
10/20/2008	 <u>21</u>	MEMORANDUM/BRIEF in response to <u>20</u> Affidavit, by Junior M. Ricketts. (SG) (Entered: 10/21/2008)
01/13/2009	 <u>22</u>	ORDER denying <u>9</u> Motion for Summary Judgment and denying petition. The Clerk of the Court shall take such steps necessary to close this case. Signed by Hon. H. Kenneth Schroeder, Jr on 1/13/2009. (KER) (Entered: 01/13/2009)
01/13/2009	 <u>23</u>	ORDER denying <u>9</u> Motion for Summary Judgment and denying petition. (This entry corrects the prior entry, which omitted the Judge's electronic signature). The Clerk of the Court shall take such steps necessary to close this case. Signed by Hon. H. Kenneth Schroeder, Jr on 1/13/2009. (KER) (Entered: 01/13/2009)
01/14/2009	 <u>24</u>	JUDGMENT in favor of Alberto Gonzales, Charles Mule, David Venturella, Peter J. Smith against Junior M. Ricketts. Signed by Rodney C. Early, Clerk of Court on 1/14/09. (SG) (Entered: 01/14/2009)
01/21/2009	 <u>25</u>	NOTICE OF APPEAL as to <u>23</u> Order, by Junior M. Ricketts. Fee Status: Fee Due - IFP denied. (DR) (Entered: 01/22/2009)